

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMES E. WILLIAMS,

Plaintiff,

07 Civ. 4685 (PKC)

-against-

ORDER ADOPTING REPORT  
AND RECOMMENDATION

FREDERICK J. SLANOVEC,  
Defendant.  
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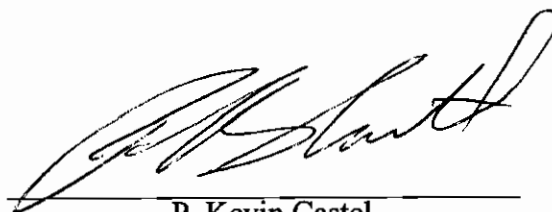
P. KEVIN CASTEL, District Judge:

This pro se civil rights action was referred to Magistrate Judge Frank Maas for general pretrial supervision. (Order of Aug. 24, 2007; Doc # 10) Based upon failure to comply with Rule 4(m) and the warning set forth in my Order of June 4, 2007, Judge Maas issued a Report and Recommendation, dated January 23, 2008, which recommended that the action be dismissed without prejudice (the "R & R").

The R & R advised the parties that they had ten days from service of the R & R to file any objections, and warned that failure to timely file such objections would result in waiver of any right to object. As of the date of this Order, no objections have been filed and no request for an extension of time to object has been made. The R & R expressly called plaintiff's attention to Rule 72(b), Fed. R. Civ. P., and 28 U.S.C. § 636(b)(1). Plaintiff received clear notice of the consequences of the failure to object and has waived the right to object to the R & R or obtain appellate review. See Frank v. Johnson, 968 F.2d 298, 300 (2d Cir.), cert. denied, 506 U.S. 1038 (1992). See also Caidor v. Onondaga County, \_\_\_ F.3d \_\_\_, 2008 WL 451146 (2d Cir. Feb. 21, 2008).

The R & R is adopted and the action is dismissed without prejudice.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'P. Castel', written over a horizontal line.

P. Kevin Castel  
United States District Judge

Dated: New York, New York  
March 13, 2008